

Form 149

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

Samantha M. Ray
Debtor(s)

Bankruptcy Case No.: 18-23977-CMB
Per December 17, 2020 Proceeding
Chapter: 13
Docket No.: 108 – 100, 101
Concil. Conf.: at

**ORDER OF COURT CONFIRMING PLAN AS MODIFIED
AND SETTING DEADLINES FOR CERTAIN ACTIONS**

(1.) PLAN CONFIRMATION:

IT IS HEREBY ORDERED that upon consent of the Debtor(s), the Chapter 13 Plan dated October 27, 2020 is CONFIRMED as modified at the Plan confirmation hearing. Terms of the Plan not expressly modified by this Order remain in full force and effect. A copy of this Plan was previously mailed to you. *Only those provisions which are checked below apply to this case:*

- ☐ A. For the remainder of the Plan term, the periodic Plan payment is amended to be \$ as of . Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- ☐ B. The length of the Plan is increased to a total of months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- ☐ C. Plan confirmation is on an interim basis only as a form of adequate protection. The Trustee is authorized to distribute to secured and priority creditors with percentage fees. ***A final plan conciliation conference will be held on at , in .*** If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.
- ☐ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under *11 U.S.C. §506*, disputes over the amount and allowance of claims entitled to priority under *11 U.S.C. §507*, and all objections to claims.
- ☐ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. shall be paid monthly payments of \$ beginning with the Trustee's distribution and continuing for the duration of the plan term, to be applied by that creditor to its administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☐ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: .
- ☒ H. Additional Terms: Fee application needed if any fee (including retainer) exceeds \$4,000 including any fees paid to prior counsel.

(2.) IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:

A. Objections to the Plan. Pursuant to *Fed.R.Bankr.P. 2002(b)*, this Order shall not become final for a period of twenty-eight (28) days. Any party in interest with an objection to any provision of this Confirmation Order must file a written objection within that twenty-eight (28) day period. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may disburse funds pursuant to this confirmation order upon its entry.

B. Applications to retain brokers, sales agents, or other professionals. If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

C. Review of Claims Docket and Objections to Claims. Pursuant to *W.PA.LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review the proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

D. Motions or Complaints Pursuant to §§506, 507 or 522. All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

E. Filing Amended Plans. Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

(3.) ***IT IS FURTHER ORDERED THAT:***

A. After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.

B. Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

C. Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

D. Debtor's counsel must file a fee application in accordance with *W.PA.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

E. The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising pre-confirmation defaults in any subsequent motion to dismiss.

F. In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any ***secured claim*** that is secured by the subject property, unless directed otherwise by further Order of Court.


Carlota M. Böhm, Judge
United States Bankruptcy Court

Dated: December 18, 2020

cc: All Parties in Interest to be served by Clerk in seven (7) days

In re:
Samantha M. Ray
Debtor(s)

Case No. 18-23977-CMB
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-2
Date Rcvd: Dec 18, 2020

User: dric
Form ID: 149

Page 1 of 3
Total Noticed: 35

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.
++	Addresses marked '++' were redirected to the recipient's preferred mailing address pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.P.2002(g)(4).

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Dec 20, 2020:

Recip ID	Recipient Name and Address
db	+ Samantha M. Ray, 555 Garfield Street, Carnegie, PA 15106-3912
aty	+ The Debt Doctors, LLC, 607 College Street, Suite 101, Pittsburgh, PA 15232, UNITED STATES 15232-1700
cr	+ Borough of Heidelberg, Goehring, Rutter & Boehm, 437 Grant Street, 14th Floor, Frick Building, Pittsburgh, PA 15219 UNITED STATES 15219-6101
14928572	American Express, PO Box 981537, El Paso, TX 79998-1537
14949788	American Express National Bank, c/o Becket and Lee LLP, PO Box 3001, Malvern PA 19355-0701
14945257	++ BANK OF AMERICA, PO BOX 982238, EL PASO TX 79998-2238 address filed with court:, Bank of America, P.O. Box 982238, El Paso, TX 79998
14949511	+ Bank of America, N.A., P O Box 982284, El Paso, TX 79998-2284
14972951	+ Borough of Heidelberg, Goehring, Rutter & Boehm, c/o Jeffrey R. Hunt, Esquire, 437 Grant Street, 14th Floor, Frick Building Pittsburgh, PA 15219-6101
14945259	+ Citi, P.O. Box 6241, Sioux Falls, SD 57117-6241
14945262	++ DSNB MACY S, CITIBANK, 1000 TECHNOLOGY DRIVE MS 777, O FALLON MO 63368-2222 address filed with court:, DSNB/ Macys, PO Box 8218, Mason, OH 45040
14945261	+ Dollar Bank, 2700 Liberty Avenue, Pittsburgh, PA 15222-4700
14945264	+ Jason A. Ray, 1412 Romano Drive, Bridgeville, PA 15017-2656
14945266	+ Northland Group, Inc., P.O. Box 390905, Minneapolis, MN 55439-0905
15219772	Toyota Lease Trust, c/o Becket and Lee LLP, PO Box 3001, Malvern PA 19355-0701
14965851	+ Toyota Lease Trust, c/o Toyota Motor Credit Corporation, PO Box 9013, Addison, Texas 75001-9013
14945273	+ Toyota Motor Credit Corp., PO Box 9786, Cedar Rapids, IA 52409-0004

TOTAL: 16

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Recip ID	Notice Type: Email Address	Date/Time	Recipient Name and Address
14945258	Email/Text: cms-bk@cms-collect.com	Dec 19 2020 02:51:00	Capital Management Services, LP, 698 1/2 South Ogden Street, Buffalo, NY 14206-2317
14945260	Email/Text: mrdiscen@discover.com	Dec 19 2020 02:51:00	Discover, PO Box 3008, New Albany, OH 43054-3008
14966628	Email/Text: bnc-quantum@quantum3group.com	Dec 19 2020 02:52:00	Department Stores National Bank, c/o Quantum3 Group LLC, PO Box 657, Kirkland, WA 98083-0657
14933226	Email/Text: mrdiscen@discover.com	Dec 19 2020 02:51:00	Discover Bank, Discover Products Inc, PO Box 3025, New Albany, OH 43054-3025
14963313	+ Email/Text: kbarkley@bernsteinlaw.com	Dec 19 2020 02:53:00	Duquesne Light Company, c/o Bernstein-Barkley, P.C., 707 Grant St., Suite 2200, Gulf Tower, Pittsburgh, PA 15219-1945
14945263	+ Email/Text: bankruptcy@huntington.com	Dec 19 2020 02:52:00	Huntington Mortgage Co., 7575 Huntington Park Drive, Columbus, OH 43235-2600
14945265	+ Email/PDF: resurgentbknotifications@resurgent.com	Dec 19 2020 03:02:38	LVNV Funding, PO Box 1269, Greenville, SC 29602-1269
14966768	Email/PDF: resurgentbknotifications@resurgent.com	Dec 19 2020 03:02:38	LVNV Funding, LLC, Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587

District/off: 0315-2

User: dric

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Date Rcvd: Dec 18, 2020

Form ID: 149

Total Noticed: 35

14945267	Email/Text: ckimble@pandbcapitalgroup.com	Dec 19 2020 02:51:00	P&B Capital Group, LLC, 455 Center Road, Buffalo, NY 14224
14945269	Email/Text: Bankruptcy.Notices@pnc.com	Dec 19 2020 02:51:00	PNC Bank, PO Box 3180, Pittsburgh, PA 15230
14967159	Email/Text: Bankruptcy.Notices@pnc.com	Dec 19 2020 02:51:00	PNC Bank, N.A., PO Box 94982, Cleveland, OH 44101
14929089	+ Email/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com	Dec 19 2020 03:07:05	PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
14945268	+ Email/Text: paparegals@pandf.us	Dec 19 2020 02:53:00	Patenaude & Felix, 501 Corporate Drive, Southpointe, Suite 205, Canonsburg, PA 15317-8584
14945271	+ Email/PDF: gecsed@recoverycorp.com	Dec 19 2020 03:07:00	SYNCB, PO Box 965024, Orlando, FL 32896-5024
14945270	Email/PDF: gecsed@recoverycorp.com	Dec 19 2020 03:11:11	SYNCB, PO Box 965015, Orlando, FL 32896-5015
14945272	Email/PDF: gecsed@recoverycorp.com	Dec 19 2020 03:11:11	Synchrony Bank, PO Box 960061, Orlando, FL 32896-0061
14932648	+ Email/Text: bankruptcy@huntington.com	Dec 19 2020 02:52:00	The Huntington National Bank, P O Box 89424, Cleveland OH 44101-6424
14945274	+ Email/Text: wfmelectronicbankruptcynotifications@verizonwireless.com	Dec 19 2020 02:51:00	Verizon, POB 650584, Dallas, TX 75265-0584
14961609	Email/PDF: EBN_AIS@AMERICANINFOSOURCE.COM	Dec 19 2020 03:02:47	Verizon, by American InfoSource as agent, PO Box 248838, Oklahoma City, OK 73124-8838

TOTAL: 19

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

Recip ID	Bypass Reason	Name and Address
cr		The Huntington National Bank
cr		Toyota Lease Trust
cr	*+	Duquesne Light Company, c/o Bernstein-Burkley, P.C., 707 Grant Street, Suite 2200, Gulf Tower, Pittsburgh, PA 15219-1945
cr	*+	PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
14945256	*	American Express, PO Box 981537, El Paso, TX 79998-1537

TOTAL: 2 Undeliverable, 3 Duplicate, 0 Out of date forwarding address

NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Dec 20, 2020

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on December 18, 2020 at the address(es) listed below:

District/off: 0315-2

User: dric

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Date Rcvd: Dec 18, 2020

Form ID: 149

Total Noticed: 35

Name	Email Address
Brian Nicholas	on behalf of Creditor Toyota Lease Trust bnicholas@kmlawgroup.com
Christopher Kennedy	on behalf of Creditor The Huntington National Bank bankruptcy@carlisle-law.com
Jeffrey R. Hunt	on behalf of Creditor Borough of Heidelberg jhunt@grblaw.com cnoroski@grblaw.com
Keri P. Ebeck	on behalf of Creditor Duquesne Light Company kebeck@bernsteinlaw.com jbluemle@bernsteinlaw.com
Matthew M. Herron	on behalf of Debtor Samantha M. Ray mmh@thedebedtactors.com hgs@thedebedtactors.com;alb@thedebedtactors.com
Matthew M. Herron	on behalf of Attorney The Debt Doctors LLC mmh@thedebedtactors.com, hgs@thedebedtactors.com;alb@thedebedtactors.com
Office of the United States Trustee	ustpreion03.pi.ecf@usdoj.gov
Ronda J. Winnecour	cmecf@chapter13trusteewdpa.com

TOTAL: 8